

105TH CONGRESS
1ST SESSION

S. 558

To provide for a study and report regarding the potential recruitment, hiring, or retention of qualified former officers of the Royal Hong Kong Police by Federal law enforcement agencies.

IN THE SENATE OF THE UNITED STATES

APRIL 10, 1997

Mr. BIDEN (for himself and Mr. GRASSLEY) introduced the following bill;
which was read twice and referred to the Committee on the Judiciary

A BILL

To provide for a study and report regarding the potential recruitment, hiring, or retention of qualified former officers of the Royal Hong Kong Police by Federal law enforcement agencies.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Royal Hong Kong Po-
5 lice Anticrime Strategy Act of 1997”.

6 **SEC. 2. ROYAL HONG KONG POLICE ANTICRIME STRATEGY.**

7 (a) DEFINITIONS.—In this section—

1 (1) the term “Attorney General” means the At-
2 torney General of the United States;

3 (2) the term “controlled substance” has the
4 same meaning as in section 102 of the Controlled
5 Substances Act (21 U.S.C. 802);

6 (3) the term “Federal law enforcement agency”
7 includes—

8 (A) the Drug Enforcement Administration
9 of the Department of Justice;

10 (B) the Federal Bureau of Investigation of
11 the Department of Justice;

12 (C) the Immigration and Naturalization
13 Service of the Department of Justice;

14 (D) the Bureau of Alcohol, Tobacco, and
15 Firearms of the Department of the Treasury;
16 and

17 (E) the United States Customs Service of
18 the Department of the Treasury;

19 (F) the United States Secret Service of the
20 Department of the Treasury; and

21 (G) any other department or agency of the
22 Federal Government that is authorized to en-
23 gage in or supervise the prevention, detection,
24 investigation, or prosecution of any violation of
25 Federal law;

(4) the term “qualified former officer of the Royal Hong Kong Police” means any individual employed by the Royal Hong Kong Police on or before June 30, 1997, who—

(A) during that period of employment, was authorized to engage in or supervise the prevention, detection, investigation, or prosecution of criminal law;

(B) in the determination of the Attorney General and the Secretary of the Treasury, does not constitute a law enforcement, national security, or other threat to the interest of the United States; and

(C) meets such other requirements as the Attorney General and the Secretary of the Treasury may establish.

(b) STUDY AND REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Attorney General and the Secretary of the Treasury shall—

(A) conduct a study regarding the potential recruitment, hiring, or retention of qualified former officers of the Royal Hong Kong Police by Federal law enforcement agencies to assist those agencies in the prevention, detection, in-

1 investigation, or prosecution of Federal criminal
2 offenses; and

3 (B) submit to the Committees on the Judi-
4 ciary of the Senate and the House of Rep-
5 resentatives a report describing the results of
6 the study under subparagraph (A).

7 (2) CONSULTATION.—The Attorney General
8 and the Secretary of the Treasury—

9 (A) shall consult with the Director of the
10 Office of National Drug Control Policy of the
11 Executive Office of the President in conducting
12 the study under paragraph (1)(A); and

13 (B) shall include any recommendations of
14 the Director in the report submitted under
15 paragraph (1)(B).

16 (3) CONTENTS OF REPORT.—To the maximum
17 extent practicable, in addition to such information as
18 may be included at the discretion of the Attorney
19 General and the Secretary of the Treasury, the re-
20 port under paragraph (1)(B) shall include an analy-
21 sis of—

22 (A) the potential benefits of recruiting, hir-
23 ing, or retaining qualified former officers of the
24 Royal Hong Kong Police by Federal law en-
25 forcement agencies to assist or otherwise sup-

1 port those agencies the prevention, detection,
2 investigation, or prosecution of Federal criminal
3 offenses, including—

4 (i) illegal international and domestic
5 trafficking of controlled substances, includ-
6 ing any violation of section 401(b)(1)(A) of
7 the Controlled Substances Act (21 U.S.C.
8 841(b)(1)(A));

9 (ii) illegal immigration, including the
10 smuggling of illegal immigrants;

11 (iii) illegal international arms traffick-
12 ing; and

13 (iv) any violation of section 1956 of
14 title 18, United States Code;

15 (B) any special knowledge or capabilities
16 that qualified former officers of the Royal Hong
17 Kong Police would potentially provide to Fed-
18 eral law enforcement agencies, such as trans-
19 lation or linguistic support, including an assess-
20 ment of the extent to which such knowledge and
21 capabilities are available domestically;

22 (C) any legal or administrative barriers
23 that may prevent the recruitment, hiring, or re-
24 tention of qualified former officers of the Royal
25 Hong Kong Police by Federal law enforcement

1 agencies and, if necessary, recommendations for
2 legislation to address those barriers; and

3 (D) any potential security issues that
4 would be raised by the hiring of qualified
5 former officers of the Royal Hong Kong Police
6 by Federal law enforcement agencies and, if
7 necessary, the potential for minimizing any se-
8 curity risks through deployment in support or
9 other capacities.

10 (c) CERTIFICATION.—Not later than 30 days after
11 the date on which the report is submitted under subsection
12 (b)(1)(B)—

13 (1) if the Attorney General determines, based
14 on the results included in that report, that the re-
15 cruitment, hiring, or retention of qualified former of-
16 ficers of the Royal Hong Kong Police would be of
17 significant assistance to Federal law enforcement,
18 the Attorney General shall so certify to Congress;
19 and

20 (2) if the Secretary of the Treasury determines,
21 based on the results included in that report, that the
22 recruitment, hiring, or retention of qualified former
23 officers of the Royal Hong Kong Police would be of
24 significant assistance to Federal law enforcement,

1 the Secretary of the Treasury shall so certify to
 2 Congress.

3 (d) AUTHORIZATION OF APPROPRIATIONS.—

4 (1) FISCAL YEAR 1998.—There are authorized
 5 to be appropriated for fiscal year 1998 such sums as
 6 may be necessary to carry out subsection (b)(1).

7 (2) SUCCEEDING FISCAL YEARS.—If—

8 (A) the Attorney General makes a certifi-
 9 cation under subsection (c)(1), there are au-
 10 thorized to be appropriated such sums as may
 11 be necessary for each of the fiscal years 1998,
 12 1999, 2000, and 2001 for the purposes of re-
 13 cruiting, hiring, or retaining not more than 100
 14 qualified former officers of the Royal Hong
 15 Kong Police to support the activities of the De-
 16 partment of Justice; and

17 (B) the Secretary of the Treasury makes a
 18 certification under subsection (c)(2), there are
 19 authorized to be appropriated such sums as
 20 may be necessary for each of the fiscal years
 21 1998, 1999, 2000, and 2001 for the purposes
 22 of recruiting, hiring, or retaining not more than
 23 100 qualified former officers of the Royal Hong

- 1 Kong Police to support the activities of the De-
- 2 partment of the Treasury.

